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## STATE OF ILLINOIS ILLINOIS COMMERCE COMMISSION

COUNTY OF ST. CLAIR, St. Clair County, Illinois,	)	<i>ವಿಡರ್ಣಗೊಡಿ</i>
,	)	Die Com Carl
Petitioner,	)	△N AUG 4 2003 🔑
vs.	) ) T03-0059	Illinois Commerce Commission FIAIL SAFETY SECTION
KANSAS CITY SOUTHERN RAILWAY COMPANY, UNION PACIFIC RAILROAD	) )	
COMPANY and the ILLINOIS DEPARTMENT OF TRANSPORTATION,	) )	
Respondents.	)	
In Re: the matter of the Petition of the County of	<i>)</i>	
St. Clair for an Order compelling the building of a	)	
bridge carrying Mousette Lane, County Highway	)	
19 over the triple tracks of Kansas City Southern	)	
Railway Company and the Union Pacific Railroad	)	
Company and that such Order prescribe the manner	)	
in which the expenses to build said bridge shall be	)	
divided among the parties and that said Order direct	)	
the Illinois Department of Transportation to pay a	)	
substantial part of the expenses for building said	)	
bridge from the Illinois Grade Crossing Protection	)	
Fund.	)	

## ANSWER OF RESPONDENT UNION PACIFIC RAILROAD COMPANY

Comes Now Respondent Union Pacific Railroad Company and for its Answer to the Petition of St. Clair County, states as follows:

1. Respondent Union Pacific Railroad Company admits the allegations of Paragraph

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- 2. Respondent Union Pacific Railroad Company admits that Kansas City Southern Railway is a lawfully organized corporation and is licensed to do business in the State of Illinois, with its principal offices located at P.O. Box 219335, Kansas City, MO 64121-9335, and is a common carrier by rail, but states that the remaining allegations are a conclusion of law, to which no response is required, and therefore, Respondent denies the remaining allegations of Paragraph 2 of the Petition.
- 3. Respondent Union Pacific Railroad Company admits that it is a lawfully organized corporation and is licensed to do business in the State of Illinois, is a common carrier by rail and maintains an office at 210 North 13th Street, St. Louis, Missouri, but denies that this is its principal office, and further states that the remaining allegations are a conclusion of law, to which no response is required, and therefore, Respondent denies the remaining allegations of Paragraph 3 of the Petition.
- 4. Respondent Union Pacific Railroad Company admits the allegations contained in Paragraph 4.
- 5. Respondent Union Pacific Railroad Company admits the allegations contained in Paragraph 5.
- 6. Respondent Union Pacific Railroad Company admits the allegations contained in Paragraph 6.
- 7. Respondent Union Pacific Railroad Company is without sufficient information to either admit or deny the allegations contained in Paragraph 7 and therefore denies same.
- 8. Respondent Union Pacific Railroad Company is without sufficient information to either admit or deny the allegations contained in Paragraph 8 and therefore denies same.

9. Respondent Union Pacific Railroad Company denies the allegations contained in Paragraph 9.

WHEREFORE, Union Pacific Railroad Company prays the Illinois Commerce

Commission hold such hearings as are necessary to determine if the requested grade separation is required by public safety, and to apportion the costs thereof in accord with the benefits received and with other applicable legal limitations, and for such other and further relief as is deemed appropriate.

UNION PACIFIC RAILROAD COMPANY

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Roy P. Farwell

210 North 13th Street, Room 2000

St. Louis, MO 63103

Telephone: (314) 216-5566 Facsimile: (314) 216-5564

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was mailed first class mail, postage prepaid, this 3/5+ day of \_\_\_\_\_\_\_\_, 2003, to:

Mr. Darrell Cates St. Clair County Highway Engineer 1415 North Belt West Belleville, IL 62226

Mr. Jeff Harpring
Illinois Department of
Transportation
2300 South Dirksen Parkway
Room 205
Springfield, IL 62794

Mr. Paul Brown Thompson Coburn One U.S. Bank Plaza St. Louis, MO 63101

Mr. Bill Burger Kansas City Southern Railway 4501 Kansas Avenue Kansas City, KS 66106

Mr. Thomas J. Healey Associate General Counsel Kansas City Southern Railway 427 West 12th Street Kansas City, MO 64105

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